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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/459,189	12/10/1999	Tim Haynes	4173/2	9761
29858	7590	02/28/2006		
BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP 900 THIRD AVENUE NEW YORK, NY 10022			EXAMINER KOPPIKAR, VIVEK D	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/459,189	Applicant(s) HAYNES ET AL.	
	Examiner Vivek D. Koppikar	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/17/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4,10-12,15,16,18,19 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,4,10-12,15,16,18,19 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of the Application

1. Claims 3-4, 10-12, 15-16, 18-19, and 22-25 have been examined in this application. This communication is the first action on the merits since the applicants filed a request for continued examination (RCE) on June 17, 2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 3-4, 12, 15-16 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,041,314 to Danford-Klein in view of U-Haul (see printout out from January 25, 1998).

(A) As per claims 3-4, 12, 15-16 and 22-24, the rejection of these claims was set forth in the previous office action dated May 13, 2004.

4. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Danford-Klein in view of U-Haul, as applied to Claim 22, above, and in further view of US Patent Number 6,125,384 to Brandt.

(A) As per claim 25, the rejection of this claim was set forth in the previous office action dated May 13, 2004.

5. Claims 10-11 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danford-Klein in view of U-Haul, Brandt and Yahoo Maps (printout from January 25, 1999).

(A) As per claim 10, the claim recites limitations similar to that of claim 3 and differs from claim 3 in that it recites the following limitation: “ a web server for providing a plurality of web pages accessible through the Internet for processing user inputs received through the Internet from a user’s computer operating an Internet browser displaying the plurality of web pages, at least one web page having at least one input field for receiving user inputs; and a backend server operatively connected to the web server and responsive to the user inputs.”

Danford-Klein and U-Haul do not explicitly teach this limitation, however, Brandt discloses a car rental system where the client uses a web browser to make a reservation from a web server operatively connected to a backend server that sends a reservation confirmation to the web client (Brandt: Figure 1 and Col. 19, Ln. 24-27). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have expanded the collective system taught by Danford-Klein and U-Haul with Brandt’s teaching with an Internet based reservation system with the motivation of allowing a user of the web browser to more easily access software applications over the Internet, as recited in Brandt (Col. 3, Ln. 25-26).

The above references also fail to teach that the system stores travel directions. However, this feature is well-known in the art as evidenced by Yahoo Maps which teaches a system wherein a user is able to obtain travel directions between two different points (Yahoo Maps: Printout). Therefore the examiner takes the position that these directions, where are displayed to the user upon the user inputting two locations, are stored by a server and transmitted to a user. At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the collective system of Danford-Klein, U-Haul and Brandt with the aforementioned teachings from Yahoo Maps to provide the user with driving (travel) directions.

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(B) As per claim 11, the rejection of this claim was set forth in the previous office action dated May 13, 2004.

(C) As per claim 19, this claim repeats features previously addressed in the rejection of claim 10 and is rejected on the same basis.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Danford-Klein in view of U-Haul and in further view of US Patent Number 5,253,165 to Leiseca.

(A) As per claim 18, this claim differs from claims 3-4, 10-12, and 15-16 in that it recites the following limitations:

receiving user-input selections of equipment including a selection of a truck for rental and a selection of a vehicle type for towing by the selected truck;

accessing the vehicle towing table to determine if the selected vehicle is capable of being towed by the selected truck; and

generating a towing advice information for display to the user whether the selected truck is appropriate for towing the selected vehicle.

Danford-Klein and U-Haul do not explicitly teach these features, however, they are well-known in the art as evidenced by Leiseca (Col. 8, Ln. 15-27). Leiseca teaches the general concept of determining whether a selected vehicle is capable of meeting a certain need and informing (advising) the user whether a given piece of transportation equipment meets the need specified by the user. At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined system of Danford-Klein in view of U-Haul with the aforementioned feature from Leiseca with the motivation of permitting transportation space customers who are seeking unscheduled transportation space to negotiate

and contract with the transportation space providers who have available unscheduled transportation space, as recited in Leiseca (Col. 2, Ln. 39-46).

In the alternative, the combined system of Danford-Klein and U-Haul collectively teach displaying information on whether a selected truck can tow a selected vehicle (U-Haul: Page 7). As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have expanded the collective system of Danford-Klein in view of U-Haul to access a vehicle towing table to determine if the selected vehicle is capable of being towed by the selected truck and generating a towing advice indication for display to the user whether the selected truck is appropriate for towing the selected vehicle, with the motivation of preventing the user from selected a truck incapable of towing the desired vehicle.

Response to Arguments

7. The arguments presented by the applications will be addressed in this section.

(1) With regard to the applicants' arguments that the prior art does not teach the limitation or the step of storing travel directions (this limitation is recited in claims 10 and 19), this argument is now moot in view of the newly added rejection above over the Yahoo Maps prior art reference.

(2) With regard to the applicants' arguments that the prior art does not teach the limitation or the steps in Claim 18 wherein the system determines if a truck selected by the user is capable of meeting the towing requirements to tow a given vehicle, this argument is now moot in view of the newly added rejection above over US Patent Number 5,253,165 to Leiseca.

(3) The rest of the applicants' arguments essentially claim that the motivation used to combine the prior art references, used in the claim rejections, are not maintainable or defensible.

However, the applicants do not further elaborate or provide specific reasons as to why the motivation used to combine these prior art is not maintainable or defensible. Therefore, these arguments do not overcome the prior art rejections set forth in the office action dated May 13, 2004.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. The fax telephone number for this group is (703) 872-9326 (for official communications including After Final communications labeled "Box AF").

Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,



Vivek Koppikar

2/15/2006



C. LUKE GILLIGAN
PATENT EXAMINER